



CERTIFICATE OF MAILING

I hereby certify that the below listed items are being deposited with the U.S. Postal Service as first class mail in an envelope addressed to:

**Mail Stop
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450**

on February 20, 2004.

Jennifer Pomonis
Jennifer Pomonis

In Re Application of:

David Shiuan

Serial No.: 09/752,957

Filed: January 2, 2001

Confirmation No.: 9947

Group Art Unit: 1652

Examiner: Kerr, Kathleen M.

Docket No.: 0231-5024US
(TKHR Docket No.: 251410-1010)

For: Yeast with High Biotin-Productivity and the Preparation Method Thereof

The following is a list of documents enclosed:

- Return Postcard
- Certificate under 37 § 3.73(b) Establishing Right of Assignee to Take Action
- Power of Attorney by Assignee of Entire Interest and Revocation of Prior Powers
- Response to Office Communication
- Copy of Notice to Comply
- Sequence Listing Verification
- Sequence Listing on Paper
- Diskette containing Sequence Listing

Further, the Commissioner is authorized to charge Deposit Account No. 20-0778 for any additional fees required. The Commissioner is requested to credit any excess fee paid to Deposit Account No. 20-0778.



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

David Shiuan

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Docket No. 0231-5024US
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For: **Yeast With High Biotin Productivity And The Preparation Method Thereof**

RESPONSE TO OFFICE COMMUNICATION


Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Notice to Comply mailed from the USPTO on January 21, 2004, applicant encloses a written copy (on paper) and a substitute computer readable form (CRF) of the sequence listing.

Tel. No. 770-933-9500
Customer No.: 24504

Docket No. 251410-1010


Cynthia J. Lee, Reg. No. 46,033

**THOMAS, KAYDEN, HORSTEMEYER
& RISLEY, L.L.P.**
100 Galleria Parkway, Suite 1750
Atlanta, Georgia 30339-5948



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

David Shiuan

Serial No.: 09/752,957

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For: **Yeast With High Biotin Productivity And The Preparation Method Thereof**

SEQUENCE LISTING VERIFICATION

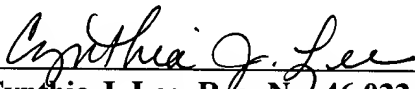
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

I, Cynthia J. Lee, hereby state that the information recorded in computer readable form (CRF) is identical to the written (on paper) sequence listing of the above-referenced patent application.

Tel. No. 770-933-9500
Customer No.: 24504

Docket No. 251410-1010


Cynthia J. Lee, Reg. No. 46,033

**THOMAS, KAYDEN, HORSTEMEYER
& RISLEY, L.L.P.**
100 Galleria Parkway, Suite 1750
Atlanta, Georgia 30339-5948



Notice to Comply

| | | |
|-----------------|--------------|--|
| Application No. | Applicant(s) | |
| 09/752,957 | Shiuan | |
| Examiner | Art Unit | |
| Kathleen Kerr | 1652 | |

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 C.F.R. § 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. § 1.821-1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. § 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. § 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. § 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. § 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing."
- ☒ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. § 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. § 1.821(e).
- ☐ 7. Other: All sequences in the specification, including the claims, must be identified by SEQ ID NOs and all SEQ ID NOs must be described in the specification (see attached form).

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☐ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. § 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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